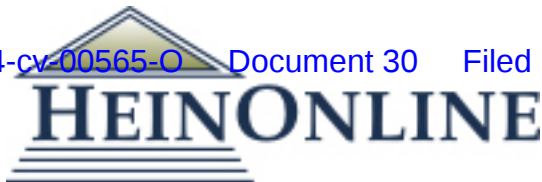


# Plaintiffs' Supplemental Appendix

**SUPPLEMENTAL APPENDIX OF HISTORICAL LAWS**

<b><u>Exhibit #</u></b>	<b><u>Citation</u></b>
A.	7 Edw. 2, 170 (1313)
B.	THE CHARTER AND ORDINANCES OF THE CITY OF PROVIDENCE; WITH THE ACTS OF THE GENERAL ASSEMBLY RELATING TO THE CITY at 113 (1845)
C.	H.R. Rep. No. 750 at 4, 5 (1838)
D.	1 LAWS OF NEW YORK 534 (Websters & Skinner 2d ed. 1807) (Twenty-Fourth Session, ch. CLXXIII. IV: “An Act for the Support of Government,” passed April 7, 1801)
E.	<i>Saturday, December 20, 1783</i> , JOURNAL OF THE HOUSE OF DELEGATES OF THE COMMONWEALTH OF VIRGINIA; BEGUN AND HELD IN THE TOWN OF RICHMOND, IN THE COUNTRY OF HENRICO, ON MONDAY, THE SEVENTH DAY OF MAY, IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND EIGHTY-ONE 77 (Thomas W. Whyte 1828)
F.	AN ACT FOR REDUCING INTO ONE ACT, THE SEVERAL ACTS CONCERNING THE COURTS OF APPEALS AND THE SPECIAL COURT OF APPEALS, CH. XI, LAWS OF VIRGINIA, OCT. SESS. 1792 at 34 (1792)
G.	1786 Va. Acts 35, An Act Forbidding and Punishing Affrays (1786)

# EXHIBIT A



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Bluebook 21st ed.

Statutes of the Realm (1235-1377).

ALWD 7th ed.

. Statutes of the Realm (1235-1377).

APA 7th ed.

(1235-1377). Statutes of the Realm. .

Chicago 17th ed.

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McGill Guide 9th ed.

Statutes of the Realm (: ., 1235-1377)

AGLC 4th ed.

Statutes of the Realm (., 1235-1377

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That none  
be molested  
for the  
Return of  
Piers de  
Gavaston.

THE King to All who these Letters shall see or hear,  
Greeting. Know Ye that in our Parliament at West-  
minster, the Sunday next after the Feast of St. Matthew the  
Apostle, in the Seventh year of our Reign; for certain and  
expedient Causes, It was provided and granted by Us, and by  
the Archbishops, Bishops, Abbots, Priors, Earls, and Barons,  
and all the Commonalty of our Realm, there being at our  
command, with one accord assented and agreed; That no  
one, of what estate or condition soever he be, in any time to  
come be challenged, taken, nor imprisoned, hindered, mo-  
lested, nor aggrieved, nor into judgement brought by Us, nor  
by any other at our Suit, nor at the Suit of any other  
whomsoever, in our Court nor elsewhere, by reason of the  
return of Monsieur Piers de Gavaston into England, nor of  
any Aid, Maintenance, Adherance, nor of any Counsel nor  
Receipt of him, nor Alliance made with him, or for him, by  
writing or otherwise, nor by reason of tarrying in his Com-  
pany or Service in any time passed heretofore. And We will  
that this Grant and Accord be affirmed and established in all  
its Points, and that each of them be holden and kept for ever.  
In Witness whereof, &c. Given as above.

Ex Rot. Pat. 7 Ed. II, P. 1. m. 14. in Cedula.\*

LE Roy, a tuz ceux, qi cestes lres vront, ou orront  
Salutz. Sachetz, qen nre plement, comence a  
Westmoistier le dimeynch pchein aps la feste de  
Seint Matheu le Apostle, en lan de nre regne sep-  
tisme, p steines & covenables enchesons, p'veu est &  
g'nte p no<sup>9</sup>, & p - - Ercevesqs, Evesqs, Abbes, Pri-  
ours, Contes & Barons, & tote la comunalte de nre  
roiaume, illoeqs a nre maundement, uniement assen-  
tuz & acorde; q nul de quel estat, ou condicion qil  
soit, en nul temps avenir, soit chalange, p's, ne en-  
p'sonetz, empeschez, molestez, ne grevez, nen juge-  
ment menez, p no<sup>9</sup>, ne p autre a nre suite, ne a suite  
Jautri, qi qil soit, en nre Court ne nulle pt aillors,  
p encheson du revenir de monf Piers de Gavaston  
en Engleterre, ne de eide, meintaunce, aerdaunce,  
ne de conseil, ne de recette de li, ne dalliaunce fait  
a li, ou por li, p escrit ou autrement, ne p' encheson  
de demorer en sa compaignie, ne en vice, en nul  
temps passe cca en arrieres. E volons q ce g'nt &  
acord soit ferm & estable en touz sez pointz, &  
chescun de eux soit tenu & garde a ppetuite. En  
tesmoign, &c. Doñ ut sup<sup>9</sup>.

De eodem  
negotio.

\* This follows on the Patent Roll immediately after the Article given in the Note in page 169. In the Old Printed Copies this Article is intituled "Ne quis occasionetur pro reditu Petri de Gaveston." It begins "Edwarde par la grace de dieu &c. as toutz ceux" and ends "Done a Westm le vii. jour de Novembre lan de nostre reigne septisme."

Statutu sup' Aportam'to Armor'.

A STATUTE FORBIDDING BEARING OF ARMOUR.

The King  
forbids the  
coming  
armed to  
Parliament,  
&c.

THE King [to the Justices of his Bench,'] sendeth  
Greeting. Whereas of late before certain Per-  
sons deputed to treat upon sundry Debates had between  
Us and certain great Men of our Realm, amongst  
other things it was accorded, That in our next Parlia-  
ment after, Provision [shall'] be made by Us, and the  
common assent of the Prelates, Earls, and Barons,  
that in all Parliaments, [Treatises,'] and other Assem-  
blyes, which should be made in the Realm of England  
[for ever,'] that every Man shall come without all Force  
and ('') Armour, well and peaceably, to the Honour of  
Us, and the Peace of Us and our Realm; and now  
in our [next'] Parliament at Westminster, after the said  
Treatise, the Prelates, Earls, Barons, and the Commo-  
nalty of our Realm, there assembled [to take'] Advice  
of this Business, have said, that to Us it belongeth, and  
our part ('') is, through our Royal Seignory, straitly  
to defend [Force'] of Armour, and all other Force  
against our Peace, at all Times when it shall please Us,  
and to punish them which shall do contrary, accord-  
ing to [our ''] Laws and Usages of our Realm; and ('')  
hereunto they are bound to aid Us as their Sovereign  
Lord at all Seasons, when need shall be: We com-  
mand you, that ye cause these Things to be read afore  
you in the said [Bench,'] and there to be enrolled.  
Given at Westminster, the thirtieth day of October.

And It was commanded to Sir Roger Brabazon and his  
Fellows, Justices assigned to hold the King's Pleas before  
him, that these things they do cause to be read before them,  
and there to be enrolled.

And It was commanded to the Justices of the Bench, that  
these things they do cause to be read before them in the said  
Bench, and there to be enrolled.

' to the Lieutenant, the Treasurer and the Barons of the Exchequer,  
' should ' Treaties ' at all times,  
' without ' Old Translations omit. ' taking  
' it ' wearing ' the  
' that ' Exchequer

Ex Rot. Pat. 7 Ed. II. P. 1. m. 14. in Cedula.

LE Roy, au Lieutenant, le Tresorier, & as Barons  
del Eschekier, Salutz. Come nadguaires de-  
vant steines psones deputees a treter s' ascun debatz,  
euz, entre no<sup>9</sup> & ascun de g'ntz de nre Roiaume,  
entre autres choses feust acordez, q en nre pchein  
plement aps, p'veaunce se feist p no<sup>9</sup> & le comun  
assentement des Prelatz, Contes, & Barons, q en touz  
plementz, tretementz, & autres assembletz, q se ferront  
en roiaume Dengleterre a tuz jours, q home veigne  
santz tote force & saunz armes, bien & peisiblement  
al honur de no<sup>9</sup>, & a la pays de no<sup>9</sup> & de nre roi-  
aume; et ja en nre [pchein'] plement a Westm aps  
le ditz tretiz, les Prelatz, Contes, Barons, & la Co-  
munalte de nre Roiaume illoeqs assemblez, eu avise-  
ment de ceste bosoigne, no<sup>9</sup> aient dit q a no<sup>9</sup> apent,  
& devons p nre roiale Seignurie, defendre [portement']  
darmes, & tote autre force contre nre pais, a totes  
les foiz q nous plerra, & punir ceux q contre ven-  
dront, selonc les leys & les usages de nre roiaume;  
E q a ce sont il tenuz de no<sup>9</sup> aider come leur bon  
Seign', totes les foiz q mester s'ra; Vo<sup>9</sup> mandons q  
cestes choses facetz lire devant vo<sup>9</sup> en le dit Esche-  
kier, & illoeqs enrrouler. Doñ a Westm le xxx. jour  
Doctobr.

¶ Et maunde est a Sire Rogier le Brabanzon & ses compaign-  
ons, Justices a les pletz le Roy devant lui tenir assignetz,  
q cestes choses facent lire devant eux, & illoqs enrrouler.

¶ Et maunde est as Justices du Bank, q cestes choses facent  
lire devant eux, en dit Bank, & illoeqs enrrouler.

' Old Printed Copies omit. ' fortement Old Printed Copies.

\* This Title is in the Margin of the Roll. In the Old Printed Copies this is intituled "Statutum de Defensione portandi Arma," and is ascribed to the Seventh Year of King Edward I. The English Title is from the Old Translations.

# EXHIBIT B

THE  
CHARTER AND ORDINANCES  
OF THE  
CITY OF PROVIDENCE;  
WITH THE  
ACTS OF THE GENERAL ASSEMBLY  
RELATING TO THE CITY.

---

PUBLISHED BY ORDER OF THE CITY COUNCIL.



PROVIDENCE:  
KNOWLES AND VOSE, PRINTERS.  
1845.

commit any mischief, quarrel, or otherwise behave in a disorderly manner, in any of the public streets, gangways, alleys or lanes in said city, or any of the public wharves or public lands in said city, to the disturbance or annoyance of the peaceable inhabitants thereof, or any portion of them, or shall aid, assist, encourage or promote the same to be done by any other person or persons, shall forfeit and pay to the use of the city a sum not exceeding twenty dollars, nor less than one dollar, to be recovered by proper legal process before any court of competent jurisdiction.

---

*An Ordinance to prevent the firing of guns and pistols in the streets and other public places.*

SECTION

1. No guns, &c., to be fired in any street, &c.

SECTION

2. Penalty.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall fire any gun or pistol, in any street or lane, or on any public wharf or public lands, within said city, after sunrise and before sunset.

SEC. 2. That every person who shall violate any provision of this ordinance shall forfeit and pay the sum of two dollars, to and for the use of the city, to be sued for and recovered by proper legal process before any court of competent jurisdiction.

---

*An Ordinance to prohibit the opening of places of trade or entertainment on Sundays or late at night.*

SECTION

1. No shop, &c., to be opened after 11 o'clock, P. M., nor on Sunday.

SECTION

2. Penalty.

*It is ordained by the city council of the city of Providence, as follows, viz :*

SECTION 1. No shop, store, or other place of trade or entertainment in this city, excepting licensed taverns, shall hereafter be kept open after eleven o'clock in the evening, nor be opened before daylight in the morning ; nor shall any such shop, store, or place of trade or entertainment, be opened on Sunday, nor any article sold therein on that day : provided



# EXHIBIT C

25th CONGRESS,  
2d Session.

[ Rep. No. 750. ]

Ho. OF REPS.

## DUTIES OF OFFICERS OF HOUSE OF REPRESENTATIVES.

MARCH 31, 1838.

Read, and postponed until Monday next, 2d of April.

Mr. W. C. JOHNSON, from the Committee of Accounts, to which the subject had been referred, submitted the following

### REPORT:

*The Committee of Accounts, which was, on the 2d of January, instructed to report the number of messengers and pages that are necessary for the despatch of the business of the House, with the compensation that should be given to them in full for their services: and which committee was also further instructed, on the 9th of January, to extend their inquiries in relation to the subordinate officers of the House, with a view to define their respective duties; and to designate the officers who shall have the power of appointing and removing the messengers and pages, and of regulating their respective duties, respectfully report:*

That, in the investigation of the first member of the inquiry, (that is, the number of messengers and pages necessary for the despatch of the business of the House,) the committee have run their inquiries back to the first organization of Congress under the present constitution; and they find, from the journals of the House, that, at the very commencement, in 1789, besides the Doorkeeper and assistant Doorkeeper, the latter of which officers, from that period to the present, was mostly employed in executing business of the House without its doors, there was one messenger provided for: at this time the House consisted of sixty-five members. At the 2d session of the 2d Congress, in 1792, there were two. At the 1st session of the 3d Congress, 1794, two: at this time the House consisted of one hundred and five members. At the 2d session of the 6th Congress, the first session that Congress assembled in the city of Washington, (the permanent seat of Government,) in consequence of the open and scattered situation of the improvements of the city, compared with that in which the sessions had theretofore been held, provision was made for the appointment of *an additional assistant* to the Doorkeeper, with two messengers: again, at the 1st session of the 7th Congress in 1801-'2, the *additional assistant* Doorkeeper and the same number of messengers were provided for; and, exclusive of the messengers, the committee learn, from an old and experienced officer of the House, that there was then employed, and has continued to be employed, a wood-carrier, who was not for many years rated or enumerated among that class of attendants known under the appellation of *messengers*. At the 1st

Thomas Allen, print.

be remarked, that the increase in the number of messengers has scarcely exceeded the ratio of increase in the number of members of the House.

From all the facts and circumstances here set forth, (and others might be added,) the committee have come to the conclusion that the additional assistant to the Doorkeeper, and sixteen messengers and servants, are necessary for the prompt and efficient despatch of the public business; and that the additional assistant should be on a footing, in all respects, with the other officer of the same grade.

In relation to the number of boys, the committee would remark, generally, that many of the causes which rendered an increase in the number of messengers necessary, also tended to render proper an increase in the number of boys; but not, however, to the extent to which they have increased. It is a fact, which the journals of the House will abundantly establish, that the business has doubled several times within the last twenty years; and it has now become absolutely necessary that a page should be appropriated, exclusively, to the Speaker, another to the Clerk, and two to run (one on each side) between the table and the members offering business to the House. Two are also necessary on each wing of the Hall, for the convenience of members wanting to send communications to the offices or other parts of the building. Formerly, there was but a single door of entrance, and the number of doorkeepers and pages could, with great advantage, be lessened, if the Hall were so changed as to reverse the position of the Speaker's seat, as many experienced members believe it should be, for the general benefit and convenience of the members. But this subject the committee believe as more suitable to come under the supervision of the Committee on Public Buildings.

The alteration in the Hall, made some few years ago under the order of the House, made four doors of entrance. The principal one was given in charge of the additional assistant to the Doorkeeper, and remains in his charge; at each of the other three, it was indispensably necessary to station an attendant. The Doorkeeper selected the larger boys for this service, in preference to employing men—an arrangement which meets the approbation of the committee. It requires one boy, also, to assist in keeping the members' files of printed documents.

From this arrangement of business, it will require not less than ten of those who are rated and paid as boys, to execute it; and this number, the committee think, ought to be retained.

Considering the duties which the messengers are called upon to perform, the committee recommend that the pay of the messengers shall be established at two dollars a day, and the pay of the pages at one dollar and fifty cents.

In relation to so much of the second branch of the order of the House of the 9th of January as relates to a designation of the officers who shall have the power of appointing and removing the messengers and pages, and of regulating their respective duties, the committee observe that, heretofore, the power of appointing and removing the messengers, and regulating their duties, has, by courtesy and a sort of tacit consent on all sides, been exercised by the principal Doorkeeper; so, also, nominally, the appointment of the boys or pages.

As to the appointment and removal of the messengers: after much deliberation, and as the result of the best reflection they have been able to give the subject, the committee have come to the conclusion that the most

## [ Rep. No. 750. ]

5

appropriate depository of that power would be in the Doorkeeper; and they accordingly recommend that the appointment and removal of messengers be continued with that officer. In this recommendation, however, the committee wish to be expressly understood as not intending any change in the arrangement of the duties of the messengers, as now regulated; but that these duties shall be continued to be regulated and conducted as heretofore, under the superintendence and control of the Doorkeeper, his assistants, and the Postmaster of the House, and the Sergeant-at-arms.

In regard to the appointment of boys or pages, the committee observe that, as the duties of these appendages are more closely and intimately connected with the business which passes to and from the Clerk and the Speaker, and the offices and committee-rooms of the House, (all of which, as matter of course, are under the control of the Clerk or the superior officer of the House, or of his chief deputy,) the committee have come to the conclusion that the appointment and removal of the boys or pages should rest with the Clerk; and, in his absence, with his chief deputy.

With respect to that part of the order of the House of the 9th of January which directs the committee "to extend their inquiries in relation to the subordinate officers of the House, with a view to define their respective duties," the committee take it for granted that the "subordinate officers" referred to are the Sergeant-at-arms and the Doorkeepers; and under this presumption, they respectfully further report:

That, from the earliest records of time, an officer answering to that which, in modern history, has obtained the name of *Sergeant-at-arms*, has been an appendage of all sovereign legislative bodies. His name is significant of the nature of his duties. In ancient times, when men were less under the government of law, reason, and rule, such an officer had much more to do in the line of his duties than at present. The committee have not deemed it necessary to resort to the *lex parliamentaria* of England, nor to the written rules of Parliament, to ascertain the exact duties of a Sergeant-at-arms in the country from whence our legislative forms have mostly been taken. On looking into the written rules of the House of Representatives, they find it distinctly set forth, that "a Sergeant-at-arms shall be appointed, to hold his office during the pleasure of the House, whose duty it shall be to attend the House during its sitting; to execute the commands of the House from time to time, together with all such process, issued by authority thereof, as shall be directed to him by the Speaker." The duties of the Sergeant-at-arms, so far as they have ever been defined by law, are herein clearly and distinctly set forth; and the committee, in their investigations, have ascertained that these duties were defined and set forth in the same words as early as the first session of Congress under the present constitution, in the year 1789.

The duties which have been actually performed, however, by the Sergeant-at-arms, have by no means been confined within the strict letter of the law, as defined in the rules, but have been of a much more laborious and diversified character, as the committee will now proceed to show.

By the first act fixing the compensation of members of Congress, passed September 22, 1789, it is enacted that the pay which shall be due members of the House of Representatives shall be *certified by the Speaker*, and the same shall be passed as public accounts, and paid out of the public Treasury. This act, by its own limitation, expired on the 4th of March, 1796.

# EXHIBIT D

On affirmation  
of judgment  
in error after  
verdict, de-  
fendant to re-  
cover double  
costs.

XIV. *And be it further enacted*, That if any person shall prosecute any writ of error for reversal of any judgment given after verdict in any of the courts aforesaid and the judgment be affirmed, then such plaintiff in error shall pay to the defendant in error his double costs, to be assessed by the court where such writ of error shall be depending for the delaying of execution.

On quashing  
writs of error  
defendant to  
have costs.

XV. *And be it further enacted*, That upon quashing any writ of error for variance from the original record or other defect, the defendant in such writ shall recover against the plaintiff his costs as he would have done if the judgment had been affirmed, and to be recovered in like manner.

In chancery  
plaintiff to  
pay full costs  
on dismissal  
of his bill.

XVI. *And be it further enacted*, That upon the plaintiff's dismissing his own bill in equity or the defendant dismissing the same for want of prosecution, the plaintiff shall pay to the defendant full costs to be taxed.

Defendant to  
pay costs in  
suits for debts  
due to the  
state.

XVII. *And be it further enacted*, That in all suits commenced upon any specialty made to the people of this state or to any person for their use, the people or other plaintiff shall recover the debt, damages and costs as any other person in the like cases.

Defendant not  
to have costs  
in suits bro't  
for debts due  
to the state.

XVIII. *And be it further enacted*, That where any action shall be prosecuted in the name of any person for any debt or sum of money due to the people of this state, and the plaintiff shall be nonsuited therein or if a verdict shall pass against the plaintiff, the defendant shall not recover any costs against such plaintiff.

This act not  
to extend to  
certain ac-  
tions.

XIX. *And be it further enacted*, That nothing in this act contained shall extend to any popular action, nor to any action to be prosecuted by any person in behalf of himself and the people of this state upon any penal statute, nor to any indictment, presentment or inquisition.

## C H A P. CLXXIII.

### *An ACT for the Support of Government.*

Passed 7th April, 1801.

Annual sala-  
ries allowed

To the gov-  
ernor ;

Chancellor ;

Chief justice  
and judges of  
supreme court

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, That there shall be allowed to the several officers of government herein-after mentioned, the following annual salaries : To the person administering the government of this state the sum of three thousand seven hundred and fifty dollars ; to the chancellor the sum of two thousand dollars ; to the chief justice the sum of two thousand dollars, and to each of the other four judges of the supreme court the sum of one thousand eight hundred and seventy-five dollars ; but this provision shall not be construed to extend to any judges of the said court that may be appointed after their number shall

amount to five ; to the treasurer the sum of one thousand six hundred dollars, including clerk hire, office hire and stationary ; to the secretary of this state the sum of one thousand five hundred dollars ; to the attorney-general the sum of two thousand dollars ; to the private secretary of the person administering the government of this state the sum of three hundred and twelve dollars and fifty cents ; and the said annual sums shall be payable in equal quarterly payments at the treasury by the treasurer on the warrant of the comptroller, on the first days of April, July, October and January in every year, and shall be computed as becoming due to the said several officers in proportion to the times for which they shall hold their respective offices ; and the said annual sums to the treasurer may be retained by him in quarterly payments as aforesaid on the warrant of the comptroller, and the comptroller shall issue his warrant to the treasurer to pay the said annual sums in quarterly payments aforesaid, upon the receipt of a certificate signed by the person administering the government of this state and under the privy seal of the state, certifying that at the time when the last quarterly payment became due, the person or persons in whose favour the certificate may be given held the said office or offices for which such person or persons may demand a compensation ; and if any person shall cease to hold any of the said offices at any time between the times above prescribed for quarterly payments, such certificates shall specify the time when he ceased to hold such office, but no such certificate shall be necessary for the person administering the government of this state and the comptroller shall draw his warrant for such sums as shall become due to him as aforesaid without any certificate.

Treasurer ;

Secretary of  
 state ;  
 Attorney-  
 general ;  
 Governor's  
 private secre-  
 tary ;

And payable  
 in quarterly  
 payments on  
 the warrant  
 of the comp-  
 troller.

Such warrant  
 founded on  
 the govern-  
 or's certifi-  
 cate.

II. *And be it further enacted*, That it shall not be lawful for the chancellor or judges of the supreme court to demand or receive any fees or perquisites for any thing done by either of them in virtue of their offices.

Chancellor &  
 judges not to  
 receive fees.

III. *And be it further enacted*, That at every session of the legislature, the president of the senate and speaker of the assembly shall each be entitled to receive three dollars and seventy-five cents for every day he shall attend in his station ; and that each member of the senate and assembly shall be entitled to receive two dollars and fifty cents for every day he shall attend either of the said houses respectively, and the like compensation to the president of the senate, the speaker of the assembly and to the other members of the legislature, for every twenty miles of the distance from the place of his residence to the place of the meeting of the legislature, and such distance shall be estimated by the most usual road, and shall be computed both for the travelling to and returning from the place of their said meeting ; and if any member of the senate or assembly

Compensation  
 of the presi-  
 dent of the  
 senate and  
 speaker of the  
 assembly,  
 And members  
 of the legisla-  
 ture.



Payable on  
the warrant  
of the comp-  
troller,  
Upon the re-  
ceipt of a cer-  
tificate.

shall, after his arrival at the place of their said meeting, be prevented by sickness from attending either of the said houses respectively, he shall be entitled to the like daily allowance as aforesaid for every day he shall be so prevented, and the comptroller shall issue his warrant to the treasurer for the payment of such sum as may so become due to each member respectively upon the receipt of a certificate signed by the president of the senate or the speaker of the assembly, as the case may be, setting forth the number of days that the member in whose favour it shall be given may have attended either house respectively, and the estimated distance of his place of residence from the place of the meeting of the legislature.

Compensation  
of the clerks  
of the senate  
and assembly,

IV. *And be it further enacted*, That there shall be allowed and paid to each of the clerks of the senate and assembly the sum of three dollars and seventy-five cents per day for their respective services during the session of the legislature, and also the amount of such sums for the contingent expenses of the two houses as may, from time to time, during the sessions of the legislature, be certified to be necessary by the president of the senate and speaker of the assembly respectively, and also for engrossing each sheet or folio of seventy-two words twelve and an half cents, and six and an half cents per folio of seventy-two words for copying the journals for the governor, resolutions to either house for concurrence and copies furnished the state printer, and for issuing notices of vacancies in the senate as directed by law fifty cents, and such accounts with the vouchers for the same shall be audited and allowed by the comptroller; and there shall also be allowed and paid to the serjeant at arms and the door keepers of the senate and assembly, each the sum of two dollars for every day they shall attend the legislature agreeable to such certificate thereof as they shall respectively produce, certified by the president of the senate or speaker of the assembly, as the case may require, for the payment of which several compensations and sums of money the comptroller shall issue his warrant to the treasurer after the same are allowed and certified as aforesaid.

And serjeant  
at arms and  
door keepers.

Compensation  
of the council  
of appoint-  
ment,

V. *And be it further enacted*, That the members of the council of appointment for each day of their attendance in council during the recess of the legislature, and for travelling from and to their respective places of residence, shall be entitled to the like compensation as hath been before prescribed for the members of the legislature, and the comptroller shall issue his warrant to the treasurer for the payment of the sums that may so become due to them respectively upon the receipt of a certificate signed by the person administering the government of this state, setting forth the number of days that they may have severally attended in council and the distance of their



several places of residence from the place of their meeting and the sums due to them severally on that account.

VI. *And be it further enacted*, That the comptroller shall annually issue his warrant to the treasurer for payment to the secretary of this state the amount of the necessary expenses of his office to be audited by the comptroller; *Provided*, They do not exceed in any one year the sum of one thousand two hundred and fifty dollars, and the said secretary shall also be entitled to the rents and profits of the house in the city of New-York now in his possession, the property of which is vested in the people of this state; but the office of the said secretary shall continue to be kept and held in the public building erected for that purpose in the city of Albany.

Secretary of state allowed for necessary expenses and the rent of a house in New-York.

VII. *And be it further enacted*, That the said secretary shall continue to receive all such fees as he is or shall from time to time be by law permitted to take, and shall keep an account thereof, and shall exhibit such account quarterly to the comptroller of this state, who having examined and filed the same in his office shall certify to the treasurer the amount thereof and the said secretary shall pay the same to the treasurer; *Provided*, That no fee shall be taken for any civil or military commission whatever.

Secretary's office where to be kept.

Secretary to receive and account for fees.

Proviso.

VIII. *And be it further enacted*, That the sum herein before directed to be paid, shall be payable out of any revenue arising or to arise from any of the funded debt of the United States belonging to the people of this state, or from any monies loaned by this state, or from any revenue arising to the people of this state in any manner whatever, and the said revenue or so much thereof as shall be necessary for that purpose is hereby appropriated for paying the several sums of money by this act directed to be paid.

Revenue appropriated for the above purposes.

IX. *And be it further enacted*, That the treasurer shall from time to time pay to the clerks of the respective counties in this state such sums of money as shall be certified by the comptroller to be due to them for registering or recording any mortgage to the people of this state in behalf of this state, and for their services and expenses in performing the duties required of them by the act, entitled *An act concerning oaths*.

Clerks of counties for certain public services, how paid.

# C H A P. CLXXIV.

*An ACT concerning Executors and Administrators, and the Distribution of Intestate's Estates.*

Passed 7th April, 1801.

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, That the execu-

Inventories by whom and

# EXHIBIT E

OF THE

# HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD IN THE TOWN OF RICHMOND.

*In the County of Henrico,*

*ON MONDAY, THE SEVENTH DAY OF MAY, IN THE YEAR OF OUR LORD  
ONE THOUSAND SEVEN HUNDRED AND EIGHTY-ONE.*

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RICHMOND: Appx. 19

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

\*\*\*\*\*  
1828.

is directed, and that the said commissioners be authorised to continue the discharge of their duty until the 15th day of February next, unless the business with which they are charged shall be sooner finished.

*Resolved*, That no rent be charged to the said commissioners; but that the same be paid by the public.

*Resolved*, That the money charged by Mr. Hayes for printing blanks, shall not be paid, it being his duty as public printer, to print for the officers the necessary blanks.

*Resolved*, That the said commissioners do continue to issue their warrants for claims, although the same may appear to be properly within the department of the continental quarter-master general, being careful, that not more than one be issued for the same service; and that they make out an exact statement of all such claims, and transmit the same to the proper continental officer without delay, that no claim from that department may be admitted on the settlement of his accounts for such articles or services, but the same may go to the credit of this State with the United States.

*Resolved*, That no warrants be issued by the said commissioners, unless vouchers approved by the county courts, shall be produced to them; but where vouchers appear, warrants shall issue, although the same may not have been entered in the return from the respective county courts.

*Resolved*, That warrants shall not issue for articles furnished continental officers in the years 1782 and 1783, the same being accountable only with the continental quarter-master general, agreeable to a resolve of Congress.

*Resolved*, That the said commissioners do make out a list of all claims, for which no warrants have been issued from their office; and transmit a copy of the same to the several county court clerks, who shall cause a copy thereof to be fixed up in the courthouse of their county, for the inspection of the people.

And the said resolutions being read a second time were, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henderson do carry the resolutions to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

Whereas, many inconveniences have resulted from the delay in publishing the laws, and a speedy promulgation of them is absolutely necessary, for the relief of those who are entrusted with the execution of them;

*Resolved*, That the public printer be directed to have the laws, passed at every session of the General Assembly, printed and published within thirty days after the rising thereof; and in case they should not be done within the time before mentioned, the Governor with advice of the Council, is hereby authorised and empowered to appoint any other person to the office of public printer, who shall execute the office, and have the salary allowed to the present public printer for his said services.

And the resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Thomas Smith do carry the resolution to the Senate, and desire their concurrence.

On a motion made,

*Resolved*, That this House will, this day, proceed by joint ballot with the Senate, to the choice of a naval officer for the district of Elizabeth river, in the room of John King, Esq. deceased.

*Ordered*, That Mr. Edmundson do acquaint the Senate therewith.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the following allowances be made to the officers of the General Assembly, for their services during the present session:

To the Rev. Benjamin Blagrove, at the rate of	-	-	-	£ 10	per week.
To Mr. John Beckley, clerk of the House of Delegates,	-	-	-	35	per week.
To Mr. William Drew, clerk of the Senate,	-	-	-	17 10	per week.
To Mr. Edmund Pendleton, clerk of the committees of Privileges and Elections and Propositions and Grievances,	-	-	-	15	per week.
To Mr. Adam Craig, clerk of the committees for Religion, Courts of Justice and of Claims,	-	-	-	12	per week.
To Mr. Charles Hay, clerk of the committee of Commerce,	-	-	-	7	per week.
To Mr. Freeman Eppes, sergeant at arms to the House of Delegates,	-	-	-	10	per week.
To Mr. William Pierce, sergeant at arms to the Senate,	-	-	-	10	per week.
To the representatives of John Creagh, for his services as door-keeper to the House of Delegates,	-	-	-	30	
To William Drinkard, Daniel Hicks and John Hicks, door-keepers to the House of Delegates, each	-	-	-	4 10	per week.
To William Drinkard, jun. door-keeper to the House of Delegates, from the day of his election,	-	-	-	4 10	per week.
To William Hicks and Thomas Paul, door-keepers to the Senate, each	-	-	-	4 10	per week.
To Elizabeth Jones, for taking care of and keeping clean the Assembly House,	-	-	-	10	
To Zenas Tate, as keeper of the public buildings,	-	-	-	10	per annum.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The House proceeded to nominate persons proper to be ballotted for as a naval officer, for the district of Elizabeth river, in the room of John King, Esq. deceased.

*Ordered*, That Mr. Ronald do carry a list of the persons so nominated to the Senate.

A motion was made, that the House do come to the following resolution:

# EXHIBIT F



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## [ 34 ]

and as many of the judges of the General Court, who are not so interested, and did not render the judgment or direct the order, as will make the number five at least, shall constitute a like court for the purpose aforesaid; and in the latter case no judge of the Court of Appeals shall sit; but any five of the judges last mentioned, and not disqualified as aforesaid, shall constitute a court. *Provided always*, that in case of the sickness or other disability of the judge of the High Court of Chancery to attend any Special Court of Appeals, such Court may, in any case, be constituted by other judges. *And provided also*, that when any Special Court shall be appointed for the trial of any cause depending in the Court of Appeals, because a majority of the judges of that Court are interested or otherwise disqualified to sit therein, in case of the sickness or disability of the remaining judge or judges of the said court not so disqualified, or either of them, the remaining judges appointed by law to hold such court, or any five of them attending may proceed to a hearing and decision of the cause, in the same manner as if all the judges of the Court of Appeals, not so disqualified, had been present.

When and where.

**SEC. VI. WHENSOEVER** a majority or all the judges of the Court of Appeals shall be interested in any of the cases abovementioned, the same shall be entered of record in the said court, and the clerk thereof shall thereupon issue a summons to the judge of the High Court of Chancery, and judges of the General Court, requiring them, if not disqualified as aforesaid, to attend at the capitol, in the city of Richmond, or in case of adjournment of the Court of Appeals, to any other place, at such other place on the twentieth day of June or November, then next following, and stating the names of the parties, and the court whose decision is to be examined. A court constituted in any of the cases above described, shall hear, determine, and finally decide all suits, process, matters and things submitted to their cognizance and jurisdiction aforesaid.

To be attended by the clerk,

**SEC. VII. THE** clerk of the Court of Appeals for the time being, shall attend all such Special Courts with the records in the cases to such Special Courts committed, and enter the proceedings of all such Special Courts in the order book of the Court of Appeals, and the same shall be signed by the presiding judge of such Special Court, and be certified to the inferior court; and the judgment or decree, sentence or order of such court shall be carried into execution in the same manner as if the same had been determined in the Court of Appeals. Such Special Courts shall be attended by the like officers with the Court of Appeals, who shall receive the like compensation as they now do in the said court; and such Special Courts may adjourn and do all and every act as a court during their session, which the Court of Appeals may by law do.

and other officers of the Court of Appeals, and to have the same power of adjournment, &c. Causes in the Special Courts when to be resumed by the Court of Appeals.

**SEC. VIII. PROVIDED** always, That where any cause shall be pending in any such Special Court, and the same shall not be determined before there shall be a sufficient number of the judges of the Court of Appeals, qualified to make a court for deciding the same, such cause shall be resumed by the Court of Appeals, and be determined there, as if such cause had never been committed to a Special Court.

Oaths to be administered to the judges attending such Special Courts

**SEC. IX. EACH** judge attending in consequence of such summons, shall in open court take an oath to do his duty as a judge of Appeals, in the case or cases on which he is summoned, impartially and truly, without favor or affection; which oath shall be administered by the eldest sitting judge, and shall then be administered to him, if he shall not before have qualified as a judge of the Court of Appeals by one other of the judges.

Allowances to them for attendance and travelling expenses.

**SEC. X. EACH** judge attending in consequence of such summons, and not disqualified as aforesaid, shall be allowed for his attendance three dollars and thirty-three cents per day, and for travelling to and from the place of session, two dollars for every twenty miles: And the judges of the Court of Appeals, attending such Special Court, and not disqualified to sit therein, shall be paid the same allowance.

Court of Appeals to appoint their officers; to be attended by the Sheriff of the county in which the court is holden. Judges may appoint a clerk in vacation. Duty of the clerk. Rule in docketing causes.

**SEC. XI. THE** Court of Appeals shall appoint a clerk, tipstaff, and cryer, the first removable for misbehaviour, in the manner directed by the constitution, the two others at pleasure; and shall be attended by the sheriff of the county in which they sit as their officer.

**SEC. XII. IF** a vacancy shall happen in the office of clerk out of the terms of the said court, it shall be lawful for a majority of the judges, by commission under their hands and seals, to appoint a clerk to fill such vacancy.

**SEC. XIII. THE** clerk of the said court shall carefully preserve the transcripts of records certified to his court with the bonds for prosecution, and all papers relative to them, and other suits depending therein, docketing them in the order he shall receive them, that they may be heard in the same course, unless the court for good cause to them shewn, direct any to be heard out of its turn, and shall faithfully record their proceedings and decisions, and certify the same to the proper courts.

Jurisdiction of the court with respect to appeals, writs of error, superseas, &c.

**SEC. XIV. APPEALS**, writs of error, and *superseas*, may be granted, heard and determined by the Court of Appeals, to and from any final decree or judgment of the High Court of Chancery, General Court and District Courts, in the same manner, and on the same principles as appeals, writs of error and *superseas* are to be granted, heard, and determined by the High Court of Chancery, and District Courts, to and from any final decree or judgment of a

# EXHIBIT G





# 1786 Va. Acts 35. (Ch. 49, An Act Forbidding and Punishing Affrays).

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**YEAR:** 1786

**CATEGORY:** Carrying Weapons

**JURISDICTION:** State

"Be it enacted by the General Assembly, that no man, great nor small, of what condition soever he be, except the Ministers of Justice in executing the precepts of the Courts of Justice, or in executing of their office, and such as be in their company assisting them, be so hardy to come before the justices of any court, or either of their Ministers of Justice, doing their office, with force and arms, on pain, to forfeit their armour to the Commonwealth, and their bodies to prison, at the pleasure of a Court; nor go nor ride armed by night nor by day, in fair or markets, or in other places, in terror of the county, upon pain of being arrested and committed to prison by any Justice on his own view, or proof by others, there to abide for so long a time as a jury, to be sworn for that purpose by the said Justice, shall direct, and in like manner to forfeit his armour to the Commonwealth; but no person shall be imprisoned for such offence by a longer space of time than one month."

1786, VA, Ch. 49, An Act Forbidding and Punishing Affrays

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*Acts Passed at a General Assembly of the Commonwealth of Virginia Begun and Held at the Public Buildings in the City of Richmond, on Monday the Sixteenth Day of October in the Year of Our Lord, One Thousand Seven Hundred and Eighty-Six* (Richmond, VA: Dixon, Holt, Nicolson, and Davies, 1786), 35. Chapter 49, An Act Forbidding and Punishing Affrays. Exact date of act's passage not mentioned in text.